

## Fill in this information to identify the case:

Debtor 1 Juanita Ellis Russell

Debtor 2 \_\_\_\_\_  
(Spouse, if filing)

United States Bankruptcy Court for the: Eastern District of Virginia

Case number 19-32564-KRH

## Official Form 410S1

**Notice of Mortgage Payment Change**

12/15

If the debtor's plan provides for payment of postpetition contractual installments on your claim secured by a security interest in the debtor's principal residence, you must use this form to give notice of any changes in the installment payment amount. File this form as a supplement to your proof of claim at least 21 days before the new payment amount is due. See Bankruptcy Rule 3002.1.

Name of creditor: U.S. Bank Trust National Association,  
as Trustee of the Chalet Series IV Trust

Court claim no. (if known): 16-1

Last 4 digits of any number you use to  
identify the debtor's account: 6 0 4 9

**Date of payment change:**

Must be at least 21 days after date  
of this notice 02/01/2020

**New total payment:**

Principal, interest, and escrow, if any \$ 1,118.03

**Part 1: Escrow Account Payment Adjustment****1. Will there be a change in the debtor's escrow account payment?**

☐ No

☒ Yes. Attach a copy of the escrow account statement prepared in a form consistent with applicable nonbankruptcy law. Describe the basis for the change. If a statement is not attached, explain why: \_\_\_\_\_

Current escrow payment: \$ 179.50

New escrow payment: \$ 237.95

**Part 2: Mortgage Payment Adjustment****2. Will the debtor's principal and interest payment change based on an adjustment to the interest rate on the debtor's variable-rate account?**

☒ No

☐ Yes. Attach a copy of the rate change notice prepared in a form consistent with applicable nonbankruptcy law. If a notice is not attached, explain why: \_\_\_\_\_

Current interest rate: \_\_\_\_\_%

New interest rate: \_\_\_\_\_%

Current principal and interest payment: \$ \_\_\_\_\_

New principal and interest payment: \$ \_\_\_\_\_

**Part 3: Other Payment Change****3. Will there be a change in the debtor's mortgage payment for a reason not listed above?**

☒ No

☐ Yes. Attach a copy of any documents describing the basis for the change, such as a repayment plan or loan modification agreement. (Court approval may be required before the payment change can take effect.)

Reason for change: \_\_\_\_\_

Current mortgage payment: \$ \_\_\_\_\_

New mortgage payment: \$ \_\_\_\_\_

Debtor 1 Juanita Ellis Russell  
First Name Middle Name Last Name

Case number (if known) 19-32564-KRH

**Part 4: Sign Here**

The person completing this Notice must sign it. Sign and print your name and your title, if any, and state your address and telephone number.

Check the appropriate box.

☐ I am the creditor.

☒ I am the creditor's authorized agent.

**I declare under penalty of perjury that the information provided in this claim is true and correct to the best of my knowledge, information, and reasonable belief.**

**X/s/** D. Anthony Sottile  
Signature

Date 12/19/2019

Print: D. Anthony Sottile  
First Name Middle Name Last Name

Title Authorized Agent for Creditor

Company Sottile & Barile, LLC

Address 394 Wards Corner Road, Suite 180  
Number Street  
Loveland OH 45140  
City State ZIP Code

Contact phone 513-444-4100

Email bankruptcy@sottileandbarile.com

SN Servicing Corporation  
 323 FIFTH STREET  
 EUREKA, CA 95501  
 For Inquiries: (800) 603-0836  
 Main Office- NMLS ID #5985, Branch Office- NMLS ID #9785

Analysis Date: December 12, 2019

JUANITA E RUSSELL  
 4412 FULTON ST  
 RICHMOND VA 23231

Loan: 

Property Address:  
 4412 FULTON STREET  
 RICHMOND, VA 23231

### Annual Escrow Account Disclosure Statement Account History

This is a statement of actual activity in your escrow account from Oct 2019 to Jan 2020. Last year's anticipated activity (payments to and from your escrow account) is next to the actual activity.

Payment Information	Current:	Effective Feb 01, 2020:
Principal & Interest Pmt:	880.08	880.08
Escrow Payment:	179.50	237.95
Other Funds Payment:	0.00	0.00
Assistance Payment (-):	0.00	0.00
Reserve Acct Payment:	0.00	0.00
Total Payment:	\$1,059.58	\$1,118.03

Escrow Balance Calculation	
Due Date:	Dec 01, 2019
Escrow Balance:	(368.50)
Anticipated Pmts to Escrow:	359.00
Anticipated Pmts from Escrow (-):	880.00
Anticipated Escrow Balance:	(\$889.50)

Date	Payments to Escrow		Payments From Escrow		Description	Escrow Balance	
	Anticipated	Actual	Anticipated	Actual		Required	Actual
					Starting Balance	0.00	(727.50)
Oct 2019		179.50		*		0.00	(548.00)
Dec 2019		179.50		*		0.00	(368.50)
					Anticipated Transactions	0.00	(368.50)
Dec 2019		179.50					(189.00)
Jan 2020		179.50		880.00	City/Town Tax		(889.50)
	\$0.00	\$718.00	\$0.00	\$880.00			

An asterisk (\*) indicates a difference from a previous estimate either in the date or the amount. If you want a further explanation, please call our toll-free number.

Last year, we anticipated that payments from your account would be made during this period equaling 0.00. Under Federal law, your lowest monthly balance should not have exceeded 0.00 or 1/6 of the anticipated payment from the account, unless your mortgage contract or State law specifies a lower amount. Your mortgage contract and State law are silent on this issue.

Main Office- NMLS ID #5985, Branch Office- NMLS ID #9785

Analysis Date: December 12, 2019

JUANITA E RUSSELL

Loan: **Annual Escrow Account Disclosure Statement  
Projections for Coming Year**

This is an estimate of activity in your escrow account during the coming year based on payments anticipated to be made to and from your account.

Date	Anticipated Payments		Description	Escrow Balance	
	To Escrow	From Escrow		Anticipated	Required
			Starting Balance	(889.50)	545.31
Feb 2020	178.17			(711.33)	723.48
Mar 2020	178.17			(533.16)	901.65
Apr 2020	178.17			(354.99)	1,079.82
May 2020	178.17			(176.82)	1,257.99
Jun 2020	178.17	880.00	City/Town Tax	(878.65)	556.16
Jul 2020	178.17	378.00	Homeowners Policy	(1,078.48)	356.33
Aug 2020	178.17			(900.31)	534.50
Sep 2020	178.17			(722.14)	712.67
Oct 2020	178.17			(543.97)	890.84
Nov 2020	178.17			(365.80)	1,069.01
Dec 2020	178.17			(187.63)	1,247.18
Jan 2021	178.17	880.00	City/Town Tax	(889.46)	545.35
	<u>\$2,138.04</u>	<u>\$2,138.00</u>			

(Please keep this statement for comparison with the actual activity in your account at the end of the escrow accounting computation year.)

Your escrow balance contains a cushion of 356.33. A cushion is an additional amount of funds held in your escrow balance to prevent the balance from becoming overdrawn when an increase in the disbursement amount occurs. Under Federal law, your lowest monthly balance should not exceed 356.33 or 1/6 of the anticipated payment from the account, unless your mortgage contract or State law specifies a lower amount. Your mortgage contract and State law are silent on this issue.

Your ending balance from the last month of the account history (escrow balance anticipated) is (889.50). Your starting balance (escrow balance required) according to this analysis should be \$545.31. This means you have a shortage of 1,434.81. This shortage may be collected from you over a period of 12 months or more unless the shortage is less than 1 month's deposit, in which case we have the additional option of requesting payment within 30 days. We have decided to collect it over 24 months.

We anticipate the total of your coming year bills to be 2,138.00. We divide that amount by the number of payments expected during the coming year to obtain your escrow payment.

**New Escrow Payment Calculation**

Unadjusted Escrow Payment	178.17
Surplus Amount:	0.00
Shortage Amount:	59.78
Rounding Adjustment Amount:	0.00
Escrow Payment:	\$237.95

Document

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**Paying the Shortage:** If your shortage is paid in full, your new monthly payment will be \$1,058.25 (calculated by subtracting the Shortage Amount to the left and rounding, if applicable). Paying the shortage does not guarantee that your payment will remain the same, as your tax or insurance bills may have changed. If you would like to pay the shortage now, please pay the entire amount of the shortage before the effective date of your new payment. To ensure that the funds are posted to your account correctly, please notify your asset manager that you are paying the shortage.

**NOTICE OF RIGHT TO CANCEL PRIVATE MORTGAGE INSURANCE:** If you currently pay private mortgage insurance premiums, you may have the right to cancel the insurance. In most cases, you have the right to cancel private mortgage insurance if the principal balance of your loan is 80 percent or less of the current fair market appraised value of your home, and you have a good payment history on your loan. If you want to learn whether you are eligible to cancel this insurance, please contact us at 323 Fifth Street, Eureka, Ca 95501 or 800-603-0836.

**\* Please note if you have autopay/EFT set up on your loan, it is your responsibility to make sure your payment amount is updated. Enclosed is the EFT form that needs to be completed. Once completed, please fax to the number listed on the EFT form or return in the self-addressed envelope.**

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION**

In Re: Case No. 19-32564-KRH  
Juanita Ellis Russell Chapter 13  
Debtor. Judge Kevin R. Huennekens

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**CERTIFICATE OF SERVICE**

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I certify that on December 19, 2019, a copy of the foregoing Notice of Mortgage Payment Change was filed electronically. Notice of this filing will be sent to the following party/parties through the Court's ECF System. Party/Parties may access this filing through the Court's system:

Richard S. Clinger, Debtor's Counsel  
rclinger2@verizon.net

Carl M. Bates, Chapter 13 Trustee  
station01@richchap13.com

John P. Fitzgerald, III, Office of the United States Trustee  
ustpreion04.rh.ecf@usdoj.gov

I further certify that on December 19, 2019, a copy of the foregoing Notice of Mortgage Payment Change was mailed by first-class U.S. Mail, postage prepaid and properly addressed to the following:

Juanita Ellis Russell, Debtor  
4412 Fulton St.  
Richmond, VA 23231

Dated: December 19, 2019

/s/ D. Anthony Sottile

D. Anthony Sottile  
Authorized Agent for Creditor  
Sottile & Barile, LLC  
394 Wards Corner Road, Suite 180  
Loveland, OH 45140  
Phone: 513.444.4100  
Email: bankruptcy@sottileandbarile.com